GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Mines & Minerals – Mining lease for Lime Stone over an extent 170.222 Hects, in Sy.No.611/18(P) of Gamalapadu Village, Dachepalli Mandal, Guntur District in favour of M/s Andhra Cements Limited – To continue Mining Operations (under new management) duly waiving off the Mineral Revenue Dues of Rs.60,50,026/- payable by the lessee company (under old management) in respect of 4 Mining Leases as per the NCLT orders Dt.16-02-2023 – Permission – Accorded.

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INDUSTRIES & COMMERCE (MINES.III) DEPARTMENT

G.O.Ms.No.

Date. 14/06/2023
Read the following:

1. G.O.Ms.No.1013, Ind. Com. (M.II) Dept, Dt.05-10-1977.
2. G.O.Ms.No.296, Ind. & Com. (M.II) Dept, Date:30-05-2000.
3. G.O.Ms.No.417, Ind. & Com. (M.II) Dept, Dt.31-07-2001
4. G.O.Ms.No.318, Ind. & Com. (M.II) Dept, Dt.29-10-2003.
5. G.O.Ms.No.117, Ind. & Com (M.II) Dept, Dt.18-12-2017.
6. NCLT order No.IA (IBC)/31/2023 in CP (IB)/37/7/AMR/2022, Dt.16-02-2023
7. From the Director of Mines and Geology, A.P., Vijayawada Single File No.4968/D7/2023, dt.30.05.2023.

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ORDER:

In the G.O. 1st read above, Government have granted a Mining Lease for Lime Stone over an extent of 300.97 Acs, in Sy.No.611/18 etc., Gamalapadu Village, Palnadu Mandal, Guntur District, for a period of 20 years in favour of M/s The Andhra Cement Company Limited and the lease was in forces upto 18-01-1998. In the G.O. 2nd read above, the said mining lease was renewed for a further period of 20 years.

2. In the G.O.3rd read above, Government have granted another Mining Lease for Lime Stone over an extent of 119.65 Acs, in Sy.No.611/18 of Gamalapadu Village, Dachepalli Mandal, Guntur District for a period of 20 years in favour of M/s Andhra Cements Limited and in force upto 23-09-2021.

3. In the G.O. 4th read above, the said two mining leases were amalgamated into one lease, over an extent of 420.62 Acs, in Gamalapadu Village, Dachepalli Mandal, Guntur District for the co-terminous lease period and in force upto 18-01-2018.

4. In the G.O 5th read above, Government have granted extension of Mining lease for Lime Stone over an extent 170.222 Hects, in Sy.No.611/18(P) of Gamalapadu Village, Dachepalli Mandal, Guntur District in favour of M/s Andhra Cements Limited for a period of 50 years up to 31-03-2030. But, the extension of

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lease deed was not executed by the lessee company due to closure of the cement plant.

5. In the order 6th read above, the National Company Law Tribunal(NCLT), Amaravathi has passed following orders under section 30(6) and 31(1) of Insolvency and Bankruptcy code, 2016 Read with Regulation 39(4) of Insolvency and Bankruptcy Board of India (Insolvency Resolution for Corporate Persons) Regulations, 2016 in the matter of M/s Andhra Cements Limited:

> *"i. The Resolution Plan annexed to the Application is here by approved. It shall become effective from this date and shall form part of this order. It shall be binding on the Corporate Debtor, its employees, members, creditors, including the Central Government, Income Tax Department any State Government or any local authority to whom a debit in respect of the payment of dues arising under any law for the time being in force is due, guarantors and other stakeholders involved in the Resolution Plan.*
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> *ii. The Memorandum of Association (MoA) and Articles of Association (AoA) shall accordingly be amended and filed with the Registrar of Companies (RoC), Andhra Pradesh for information and record. The resolution Applicant, for effective implementation of the Plan, shall obtain all necessary approvals, under any law for the time being inforce, within such period as may be prescribed.*
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> *iii. The moratorium under Section 14 of the Code shall cease to have effect from this date.*
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> *iv. The Applicant shall supervise the implementation of the Resolution Plan and file status of its implementation before this Authority from time to time, preferably every quarter.*
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> *v. The applicant shall forward all records relation to the conduct of the CIRP and the Resolution Plan to the IBBI along with copy of this order for information.*
>
> *vi. The applicant shall forthwith send a copy of this order to the CoC and Resolution Applicant.*
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> *Accordingly, IA (IBC)/31/2023 in CP (IB)/37/7/AMR/2022 is disposed off*

6. In the single file 7th read above, the Director of Mines & Geology, Ibrahimpatnam, while giving proper justification, has stated that M/s Sagar Cements Limited has become successful bidder in NCLT. M/s Sagar Cements Limited has submitted Resolution plan Dt.29-08-2022 and as amended on 10-12-2022 to the NCLT. M/s Andhra Cements Limited, has given a representation Dt.17-03-2023 to the DM&G stating that, now the sagar cements Ltd as successful Resolution Applicant, paying the amounts to the creditors, as per the Resolution Plan and putting serious efforts to arrange all resources and financial

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capital to revive Andhra Cements Limited at the earlier to turn around its commercial operations. The intimation of new management made by the lessee company regarding the change of Directors & Independent Directors is within 60 days of time, which satisfies the Rule 61 of MC Rules, 1960. He, has, therefore, recommended to grant necessary permission to M/s Andhra Cements Limited under new management for continuing the Mining Operations in the existing Mining lease area and to waive off the Mineral Revenue Dues of Rs.60,50,026/- payable to the Government by the lessee company (under old management) in respect of 4 Mining Leases held by them as per the NCLT orders Dt.16-02-2023.

7. Government, after careful examination of the matter, hereby accord permission to M/s Andhra Cements Limited under new management for continuing the Mining Operations in the existing Mining lease area situated at Gamalapadu Village, Dachepalli Mandal, Guntur District, duly waiving off the Mineral Revenue Dues of Rs.60,50,026/-payable to the Government by the lessee company (under old management) in respect of 4 Mining Leases held by them as per the said NCLT orders.

8. The Director of Mines & Geology, A.P., Vijayawada shall take necessary further action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Gopal Krishna Dwivedi

Special Chief Secretary To Govt

To
The Director of Mines and Geology, A.P., Vijayawada. (w.e.file)
M/s.Andhra Cements Ltd, Durga Cement Works (P.O), Dachepalli, Guntur (Dt).
Copy to:
The Assistant Director of Mines & Geology, Guntur District.
The Collector & District Magistrate, Guntur.
The Secretary to Govt. of India, Ministry of Mines, Sastry Bhavan, New Delhi.
The Controller General, Indian Bureau of Mines, Indira Bhavan, Civil Lines, Nagpur.
The Director General, Mines Safety, Dhanbad, Jarkhand.
The Regional Controller of Mines, IBM, Kavadiguda, Secunderabad.
SF/SC.

//FORWARDED : BY ORDER//

SECTION OFFICER

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